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Attorney Docket No. 55562 (71526)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hitoshi ENDOU and Yoshikatsu KANAI
SERIAL NO: 09/786,389 EXAMINER: M. D. Pak
FILED: July 18, 2001 GROUP: 1646
FOR: NEUTRAL AMINO ACID TRANSPORTER AND GENE THEREOF

CERTIFICATION UNDER 37 C.F.R. 1.10*

(Express Mail label number is *mandatory*.)

(Express Mail certification is *optional*.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date August 5, 2004 in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EV437818139US addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: _____

Michelle P. Chicos

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Date: August 5, 2004

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. ☒ Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. ☐ Each of the patents, publications or other information listed on the attached PTO-1449 was previously cited by or submitted to the USPTO in connection with U.S.S.N. (), to which the subject

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application claims the benefit of the earlier filing date. As such, a copy of each is not included herewith pursuant to 37 C.F.R. § 1.97(d).

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- a. ☒ Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b. ☐ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- c. ☐ The following additional information is provided for the Examiner's consideration:

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)

(check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.
- b. ☐ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.
- c. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):

(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

- a. ☒ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
- or
- b. ☐ See the certification below. No fee is required.

VI. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(d):
(check both boxes if applicable)

before payment of the Issue Fee (See 37 C.F.R. § 1.97(d).

- a. ☐ See the certification below; and
- b. ☐ A fee in the amount of \$180.00 is enclosed as required by 37 C.F.R. § 1.17(p).

VII. CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby certifies that

- a. ☐ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

☐ Please charge Deposit Account No. 04-1105 in the amount of _____ for the above-indicated fee. A triplicate copy of this paper is attached.

☒ Fee in the amount of \$180.00 is enclosed as required by 37 CFR §1.17(p).

☐ No fee is required.

However, if any fee is required, e.g., due to issuance of a Final Office Action, please charge the required fee to Deposit Account No. 04-1105, and consider this paper as a conditional petition under 37 CFR 1.97(d).

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition, if necessary) and charge the appropriate fee to Deposit Account No. 04-1105.

Respectfully submitted,



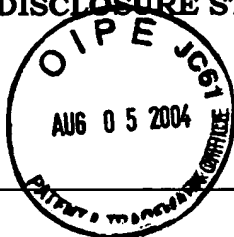
John B. Alexander, Ph.D. (Reg. No. 48,399)
EDWARDS & ANGELL, LLP
P.O. Box 55874
Boston, MA 02205

Date: August 5, 2004

Tel: (617) 439-4444

Customer No. 21874

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FORM PTO-1449
INFORMATION DISCLOSURE STATEMENT


ATTY DOCKET NO.

55562 (71526)

SERIAL NO.

09/786,389

APPLICANT(S): H. ENDOU et al.

FILING DATE:

July 18, 2001

ART UNIT:

1646

UNITED STATES PATENT DOCUMENTS

EXAM. INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILE DATE IF APPR

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	PUBLISHED DATE	COUNTRY	CLASS	SUB CLASS	TRAN YES/NO

OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

	CA	Nakamura et al., "4F2(CD98) Heavy Chain is Associated Covalently with an Amino Acid Transporter and Controls Intracellular Trafficking and Membrane Topology of 4F2 Heterodimer," <i>Journal of Biol. Chem.</i> 274:5 pg. 3009-3016 (1999).

Examiner:

Date: